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C O N F I D E N T I A L SECTION 01 OF 02 JERUSALEM 000444

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NEA FOR FRONT OFFICE AND IPA; NSC FOR SHAPIRO/PASCUAL

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TAGS: [PREL](#) [PGOV](#) [PBTS](#) [PHUM](#) [KWBG](#) [KPAL](#) [IS](#)  
SUBJECT: JERUSALEM MUNICIPALITY ISSUES 58 ADDITIONAL  
DEMOLITION AND EVACUATION ORDERS

REF: 07 JERUSALEM 2011

Classified By: Consul General Jake Walles for reasons 1.4 (b) and (d)

¶1. (C) Summary. Palestinian sources informed Post about an additional 56 demolition and two evacuation orders issued by the Jerusalem municipality between March 5 and March 9. Palestinian officials told the Consul General that Israel has adopted a policy of "escalation" in East Jerusalem that could provoke a violent response if it continues. An adviser to the mayor of Jerusalem said it is too soon to draw the conclusion that demolition orders are increasing under the new mayor's administration. The adviser said there is little sympathy for illegal construction in East Jerusalem and the mayor wants to "put an end to the chaos" there, including building violations. End summary.

Fifty-six Demolition Orders, Two Evacuation Orders Issued  
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¶2. (C) Palestinian sources informed Post about an additional 56 demolition and two evacuation orders issued by the Jerusalem municipality between March 5 and March 9. The Palestinian Jerusalem-area Governor, Adnan Husseini, and Hatim 'Abd al-Qader, advisor to PM Fayyad for Jerusalem Affairs, told the Consul General in a March 9 meeting that Israeli authorities have introduced a policy of "escalation" in Jerusalem since the beginning of 2009. Husseini expressed concern that Israeli actions may provoke a violent response from Palestinians. Husseini acknowledged that violence could harm Palestinian interests, but added "we see something in the eyes of the people. We cannot control them."

¶3. (C) Palestinian sources told PolSpec they learned of the following demolition or eviction orders between March 5 and March 9:

-- Thirty-six demolition orders were served March 5 on two apartment complexes in the al-Abbassiya area of al-Thuri, south of the Old City. The orders reportedly give residents notice that demolitions will occur as early as March 15. 'Abd al-Qader said the case is legally complex and far along in the appeals process, potentially making demolitions more likely to occur. The developer of the complex reportedly received permission for a small, 250-square-meter (roughly the size of two apartments) building, but instead constructed a building with 36 units and sold those units to different Palestinian families for a total of 250 residents. Some of the families are claiming they did not know the unit they purchased was illegal and intend to petition the high court to void the demolition orders. (Note: Husseini also raised this case with the Consul General, and OCHA contacts, working with a sympathetic member of the Jerusalem municipal council, expressed their concern to Poloff on March 9 that these orders were on a fast track to execution. End note.)

-- One demolition order, reported to Post by Palestinian

sources on March 5, was issued for a house in Shu'fat. The 120-square-meter house's owner, Nayif Eweidah, told Palestinian sources the house was built 12 years ago and has received two previous fines for building without a permit. The most recent demolition order reportedly requires the owner to demolish the house and pay a 100,000 NIS (\$23,585) fine by April 13.

-- Nineteen demolition orders were served on March 8 to residents of the al-Sahel area of at-Tor, east of the Old City. The orders reportedly give residents 40 days to demolish the structures and, according to Palestinian sources, are intended to clear 15 dunums (3.75 acres) of land to build a new school.

-- Two eviction orders were issued to Maher Hanoun and 'Abd al-Fatah al-Ghawi in the Sheikh Jarrah neighborhood, requiring their families to vacate no later than March 15. PA sources said they believe Israeli authorities intend to turn over the two houses to the same Jewish organization that is involved in the al-Kurd family house dispute (reftel). (Note: OCHA contacts confirm these are two of the 28 houses in Sheikh Jarrah similarly affected, and that these eviction orders are the second round of orders issued. Residents previously received eviction notices in July 2008, and Maher Hanoun spent three months in jail on a charge related to the orders. Between 50 and 55 people live in the two buildings, among 10 families. End note.)

14. (C) Hussein and 'Abd al-Qader called on the USG to intervene with Israeli authorities to stop demolitions and evictions in East Jerusalem. Hussein suggested the USG

JERUSALEM 00000444 002 OF 002

support a "cease-fire" during which Israel would stop demolitions and evictions, while Palestinians would work to develop town plans and to legalize buildings constructed without permits. Hussein said continued demolitions, settlement expansion, and construction in East Jerusalem, and particularly plans for E1, threaten to undermine the viability of a two-state solution. 'Abd al-Qader suggested that continued demographic changes in East Jerusalem make it increasingly difficult for Palestinian leaders to "market" negotiations to the Palestinian public.

Jerusalem Mayor's Aide Denies Policy Shift  
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15. (C) Jerusalem mayor Nir Barkat's deputy political advisor, Elad Halevy, told Poloff on March 9 that demolition orders in Jerusalem are carried out through a series of "standard procedures" and take "months" to work their way through the system. He said the legal bases for demolition are complicated and orders do not always lead to demolitions. He said Palestinian assertions of a policy change are premature and said the USG should rely on "data, not perceptions."

16. (C) Halevy said he would look into compiling aggregate demolition order issuance numbers for recent months. "I don't think it necessarily correlates to the new mayor," said Halevy, who also worked in the same position for former Mayor Uri Lupolianski. "The Mayor wants to put an end to the chaos that is happening in East Jerusalem," in building violations as well as employment, tourism, infrastructure, and other issues, he said. He implicitly acknowledged this would lead to increased house demolitions, saying this approach had a "good side and a bad side."

17. (C) Halevy said he was aware of intense USG interest in the topic, and referred to the incident following the Mayor's recent public statements as a "minor glitch" of a "misunderstanding over a quote." Halevy promised to look into the specific cases cited above, adding that, off-hand, he knew of six planned schools for East Jerusalem which have GOI Ministry of Education approval and funding, but which the

Jerusalem municipality has "discovered" are slated for land "occupied by illegal construction" already. In these cases, the municipality is seeking to provide compensation or alternative land for housing. Schools are "for the good of the whole community," Halevy said.

WALLES